



OCT 01 2004

PTO/SB/30 (5/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number 09/500,535

Filing Date 2/09/00

First Named Inventor BAYCHAR

Group Art Unit 1771

Examiner Name A. Singh

Attorney Docket Number BAY-410-02

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTOISB129) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000) which establishes RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - iii.  Other \_\_\_\_\_.
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_.

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_.

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1417.
  - i.  RCE fee required under 37 C.F.R. § 1.117(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_.
- b.  Check in the amount of \$\_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Shrinath Majur	Registration No. (Attorney/Agent)	34,663
Signature		Date	October 1, 2004

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

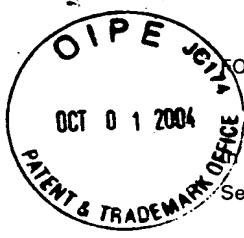
Name (Print/Type)	
Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Commissioner for Patents, Box RCE, Washington, DC 20231.

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FORM PTO-1083

OCT 01 2004

RE application of BAYCHAR  
Serial No.: 09/500,535

Filed: February 9, 2000

PATENT  
Case Docket No. BAY-410-02

Group Art Unit: 1771

Examiner: A. Singh

For: WATERPROOF/BREATHABLE MOISTURE TRANSFER LINER AND COMPOSITE FOR SNOWBOARD BOOTS, ALPINE BOOTS, HIKING BOOTS AND THE LIKE  
(As Amended)Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

	(COL. 1)		(COL. 2)		(COL. 3)
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra
Total	* 13	Minus	** 43	=	0
<input type="checkbox"/> First Presentation of Multiple Dependent Claims					

## SMALL ENTITY

Rate	Additional Fee
x 9	\$
x 42	\$
+ 140	\$
Total	\$

OR

Rate	Additional Fee
x 18	\$ 0
x 84	\$ 0
+ 280	\$ 0
Total	\$ 0

## OTHER THAN A SMALL ENTITY

\* If the entry in Col. 1 is less than the entry in Col. 2, write '0' in Col. 3.  
\*\* If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 20, write '20' in this space.  
\*\*\* If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 3, write '3' in this space.  
The 'Highest Number Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

Please charge my Deposit Account No. 50-1417 in the amount of \$ \_\_\_\_\_.

A check in the amount of \$ 790.00 is attached in payment of:  
Credit Card Payment Form - RCE

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1417.

Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17.

Any Extension of Time fees that are necessary, which are hereby requested if necessary.

MATTINGLY, STANGER & MALUR, P.C.  
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(703) 684-1120

By:   
Shrinath Malur  
Registration No. 34,663  
Attorney for Applicant(s)

Date: October 1, 2004



BAY-410-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BAYCHAR

Serial No. 09/500,535

Group Art Unit: 1771

Filed: February 9, 2000

Examiner: A. Singh

For: WATERPROOF/BREATHABLE MOISTURE TRANSFER LINER AND  
COMPOSITE FOR SNOWBOARD BOOTS, ALPINE BOOTS, HIKING  
BOOTS AND THE LIKE (As Amended)

AMENDMENT

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action (Final Rejection) mailed July 2, 2004, please amend the above-identified application as follows. A Request and fee for Continued Examination (RCE) accompanies this response.